



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF : Michael Edward Nicholas
FOR : A CONTAINER FOR STORING AND
DISPENSING FOOD ITEMS AND BEVERAGES
SERIAL NO. : 10/602,967
FILED : June 24, 2003
EXAMINER : Not yet known
ART UNIT : Not yet known
ATTORNEY DOCKET NO. : KP8722US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, publications and other information listed on the attached form PTO-1449. A copy of each listed document is enclosed *except for* documents previously cited by or submitted to the Office in a prior application(s) relied upon for an earlier filing date under 35 U.S.C. 120, said prior application(s) identified below:

Serial No.

Filing Date

2. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made.

3. Pursuant to 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed as an admission that the information cited in this Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

4. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

- () Copy of each English language version of a search report by a foreign patent office in a counterpart foreign application, indicating the degree of relevance found by the foreign office of each document being submitted from the search

report.

☐ Attachment entitled "Concise Explanation of Relevance of Non-English Language Documents."

☐ English-language abstract.

☒ 5. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed:

☐ concurrently with the filing of the national application; or

☒ within 3 months of the filing date of a national application; or

☐ within 3 months of the date of the entry of the national stage as set forth in 37 CFR 1.491 in an international application; or

☐ before the mailing date of a first Office Action on the merits.

{NOTE: Statements filed within the foregoing periods require neither a fee nor a Certification}

☐ 6. Pursuant to 37 C.F.R. 1.97(c) this Statement is being filed *after* the mailing date of a first Office Action on the merits but *before* the mailing date of either: a Final Office Action under 37 C.F.R. 1.113 or a Notice of Allowance under 37 C.F.R. 1.311, whichever occurs first. Accordingly, this Statement is accompanied by:

☐ Certification as specified in 37 C.F.R. 1.97(e); OR

☐ The submission fee set forth in 37 C.F.R. 1.17(p). Enclosed is Form PTO-2038 authorizing the amount of \$180 to be charged to our credit card to cover the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement.

☐ 7. Pursuant to 37 C.F.R. 1.97(d) this Statement is being filed *after* the period specified in 37 C.F.R. 1.97(c), but *before or concurrent with* payment of the Issue Fee. Accordingly, this Statement is accompanied by:

A. Certification as specified in 37 C.F.R. 1.97(e); AND

B. The submission fee set forth in 37 C.F.R. 1.17(p). Enclosed is Form PTO-2038 authorizing the amount of \$180 to be charged to our credit card to cover the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement.

☐ 8. Statement filed *after* payment of Issue Fee, but *before* patent grant:

This Statement is being filed *after* payment of the Issue Fee, but *before* grant of the patent; accordingly it is understood that this Statement will *not* be considered.

However, it is respectfully requested that this Information Disclosure Statement be placed in the application file. {NOTE: no fees or certification required}

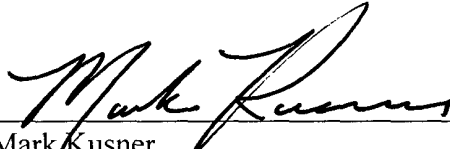
9. CERTIFICATION under 37 C.F.R. 1.97 (e) (if applicable):

- () The undersigned hereby certifies that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Information Disclosure Statement, OR
- () The undersigned hereby certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Information Disclosure Statement.

The Commissioner is hereby authorized to charge any additional fees required for consideration of this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0537, identifying our Docket No. KP8722US.

Respectfully submitted,

Date: 1 Aug 2003


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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being deposited on the below date with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date:

August 4, 2003


Crystal Belknap

Form PTO-1449
Attorney Docket:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE CITATION

In re application of: Michael Edward Nicholas

Serial No: 10/602,967

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Examiner: Not yet known

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U.S. Patent Documents

Examiner Initials	Document Number	Date	Name	Class
_____	1,667,818	05/01/1928	Page	
_____	1,896,827	02/07/1933	Neely	
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_____	6,189,738	02/20/2001	Rosenthal	222/144.5
_____	6,283,316	09/04/2001	Sherman	215/6

Examiner:

Date Considered:

 **Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.